

AO 91 (Rev. 11/11) Criminal Complaint

Agent:

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BPA Michael Everson

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UNITED STATES DISTRICT COURT

for the

Eastern District of Michigan

United States of America

v.

Denis Omar FLORES-FLORES

Case: 2:24-mj-30105
 Case No. Assigned To : Unassigned
 Assign. Date : 3/19/2024
 CMP USA V FLORES-FLORES (LH)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of March 15, 2024 in the county of Wayne in the
Eastern District of Michigan, the defendant(s) violated:

Code Section

Offense Description

Title 8, United States Code, Section 1326(a)

Unlawful Re-entry after Removal from the United States

This criminal complaint is based on these facts:

On or about March 15, 2024 in the Eastern District of Michigan, Southern Division, Denis Omar FLORES-FLORES, an alien from Honduras was found in the United States after having been denied admission, excluded, deported, and removed therefrom on or about February 27, 2019, at or near Phoenix, Arizona and not having obtained the express consent of the Attorney General of the United States or the Secretary of Homeland Security to re-apply for admission thereto; in violation of Title 8, United States Code, Section 1326 (a).

☒ Continued on the attached sheet.

Sworn to before me and signed in my presence
 and/or by reliable electronic means.

Date: March 19, 2024

City and state: Detroit, MI



Complainant's signature

Michael Everson, BPA

Printed name and title



Judge's signature

Kimberly G. Altman, U.S. Magistrate Judge

Printed name and title

AFFIDAVIT

I, Michael Everson, declare the following under penalty of perjury:

1. I am a Border Patrol Agent with the United States Department of Homeland Security, United States Border Patrol. I have been employed in this capacity since December 2011. Currently, I am assigned to the Detroit Border Patrol Station. The facts set forth herein are based upon my personal knowledge as well as information provided by other law enforcement officers to include Border Patrol Agents and record checks of law enforcement databases. I have also reviewed material from the official Immigration file and system automated data relating to Denis Omar FLORES-FLORES, which reveals the following:
2. FLORES-FLORES is a thirty-five-year-old male, native and citizen of Honduras, who last entered the United States at or near an unknown place, on or about an unknown date without being admitted, inspected, or paroled by an Immigration Officer.
3. On or about July 24, 2013, FLORES-FLORES was arrested by Border Patrol Agents at or near Nogales, Arizona. He was processed for Expedited Removal.
4. On or about July 26, 2013, FLORES-FLORES was convicted for 8 U.S.C. §1325(a)(1), Unlawful Entry. He was sentenced to 3 days in jail.
5. On or about August 8, 2013, FLORES-FLORES was removed back to Honduras through Phoenix, Arizona.
6. On or about December 15, 2015, FLORES-FLORES was arrested by Border Patrol Agents at or near Ajo, Arizona. His prior order of removal was reinstated.
7. On or about December 28, 2015, FLORES-FLORES was convicted for 21 U.S.C. §844(a), Possession of Controlled Substance. He was sentenced to 210 days in jail with time served credited.
8. On or about August 12, 2016, FLORES-FLORES was removed back to Honduras through Alexandria, Louisiana.
9. On or about February 6, 2019, FLORES-FLORES was arrested by Border Patrol Agents at or near Calexico, California. His prior order of removal was reinstated.

10. On or about February 27, 2019, FLORES-FLORES was removed back to Honduras through Phoenix, Arizona.
11. On or about March 15, 2024, FLORES-FLORES was encountered by Border Patrol Agents near Dearborn Heights, Michigan, following a request to assist police officers to identify a subject later found to be Denis Omar FLORES-FLORES. Dearborn Heights Police Officers arrested FLORES-FLORES and cited him for driving without a license and an improper tag. Upon arrival, Border Patrol Agents questioned FLORES-FLORES and he freely stated that he was illegally present in the United States. FLORES-FLORES was transported to the Detroit Border Patrol Station for processing. His prior order of removal was reinstated.
12. Denis Omar FLORES-FLORES's fingerprints and photograph were captured and entered into the Automated Biometric Identification System (IDENT) and the Integrated Automated Fingerprint Identification System (IAFIS). The results revealed that FLORES-FLORES is a citizen of Honduras, with the foregoing immigration history who has been previously removed from the United States. The record checks did not provide any evidence that FLORES-FLORES legally entered the United States or had been issued any document or status that would allow him to enter or remain the United States.
13. The aforementioned arrest and subsequent detention was an administrative, non-criminal action made pursuant to the authority found in sections 1357, 1225, 1226, and/or 1231 of Title 8, United States Code to arrest and detain any alien entering or attempting to enter the United States, or any alien present in the United States, who is reasonably believed to be in violation of any law or regulation regulating the admission, exclusion, expulsion, or removal of aliens.
14. Review of the Alien File (A# xxx xxx 946) for Denis Omar FLORES-FLORES and queries in Department of Homeland Security databases confirm no record exists of FLORES-FLORES obtaining the express permission from the Attorney General or the Secretary of the Department of Homeland Security to re-apply for admission to the United States following his removal on February 27, 2019.
15. Based on the above information, I believe there is probable cause to conclude that Denis Omar FLORES-FLORES, is an alien who was found in the United States after removal, without the express permission from the Attorney General of the United States or from the Secretary of the Department of

Homeland Security to re-apply for admission into the United States in violation of Title 8, United States Code, Section 1326(a).



Michael Everson, Border Patrol Agent
U.S. Department of Homeland Security

Subscribed and Sworn to before me and signed in my presence and/or by reliable electronic means.



Honorable Kimberly G. Altman
United States Magistrate Judge

Dated: March 19, 2024